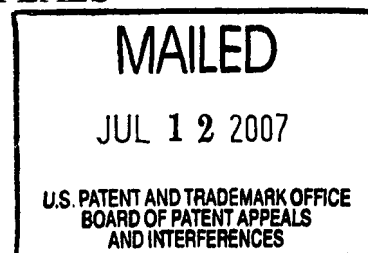


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GUILLERMO SILVA

Application 10/765,193



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on June 19, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

Derwent Publication

On November 3, 2006, Appellant filed an Appeal Brief. On January 11, 2007, the Examiner entered an Examiner's Answer in response to Appellant's Brief. On page 2 of the Answer, section (8) under the heading of "Evidence Relied Upon," the Examiner relies upon Derwent Publication 26114A to Tayag in his rejection of claims on appeal. However, the Examiner has not provided a full-text translation of this said reference.


CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to resolve the following issues:

- (1) to provide a full-text translation of Derwent Publication 261 14 A to Tayag, and to provide Appellant with copy of said translation;
- (2) to scan said translation into the Image File Wrapper; and,
- (3) for such further as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN:clj

Albert Bordas, P.A.
5975 Sunset Drive
Suite 607
Miami, FL 33143